IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.

Sales Tax Appliocation No. 1 of 2005

M/s Sunstar Finance &
Leasing Ltd. ..Applicant

vs.

The Commissioner of Sales
Tax ..Respondent

Mr.P.V.Surte with Mr.N.P.Shimpi i/b M/s P.V.Surte and Co. for applicant.
Mr.V.A.Sonpal, Addl.G.P. for respondent.

CORAM:V.C.DAGA &
J.P.DEVADHAR JJ.
7th OCTOBER, 2005

P.C.

. Rule. Returnable forthwith. Addl.Govt.Pleader waives service. By consent of the parties, heard finally.

. Having heard the rival submissions, we are satisfied that question nos. 2 and 3 involve interpretation of section 16(4) of Maharashtra Act No.22 of 1997 which was brought on statute book on 24th April, 1997 and section 36(3)(b) of the Maharashtra Sales Tax Act.

. In the above view of the matter the questions being substantial questions of law need consideration. The tribunal is, therefore,

directed to forward the statement of case and refer the following substantial questions of law for opinion of this Court.

1. Whether on facts and in the circumstances of the case, the Tribunal was justified in rejecting the exemption from tax available under section 16(4) of Maharashtra Act XXII of 1997 dated 24.4.1997?

2. Whether on the facts and in the circumstances of the case, the Tribunal was justified in confirming the interest charged under section 36(3)(b) by holding it as consequential?

. Application is accordingly disposed off finally. Rule is made absolute in the above terms with no order as to costs.